

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
NEC Oliver Beach Road and
Oliverwood Road
13000 Oliverwood Road
15th Election District
5th Councilmanic District
Patrick Fry, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-219-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Patrick Fry and Ruth V. Fry, his wife, for that property known as 13000 Oliverwood Road in the minor subdivision of Diegert property, in Baltimore County. The Petitioners/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow an addition (attached garage) to be 19 ft. x 24 ft. with side yard and front yard setbacks of 5 ft., in lieu of minimum required setbacks of 25 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion

ORDER RECEIVED FOR FILING

Date

By

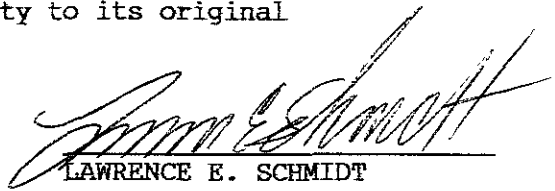
MICROFILMED

of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of February, 1996 that the Petition for a Residential Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow an addition (attached garage) to be 19 ft. x 24 ft. with side yard and front yard setbacks of 5 ft., in lieu of minimum required setbacks of 25 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 6, 1996

Mr. and Mrs. Patrick Fry
13000 Oliverwood Road
Baltimore, Maryland 21220

RE: Petition for Administrative Zoning Variance
Case No. 96-219-A
Property: 13000 Oliverwood Road

Dear Mr. and Mrs. Fry:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.





Petition for Administrative Variance

96-219-A

to the Zoning Commissioner of Baltimore County

for the property located at 13000 Oliverwood Road

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1

To allow an addition (garage) with a side yard and front yard setbacks of zero ft. in lieu of the minimum required setbacks of 25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHMENT

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

13000 Oliverwood Rd (410) 335-1994

Address

Phone No

BALTIMORE MD 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: gf DATE: 11/27/95

ESTIMATED POSTING DATE: _____



Printed with Soybean Ink
on Recycled Paper

ITEM #: 220

MICROFILMED

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

address

13000 Oliverwood Road
BALTIMORE MD 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

SEE ATTACHMENT

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Patrick Fry
(signature)
PATRICK Fry
(type or print name)



Ruth Velma Fry
(signature)
Ruth Velma Fry
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26 day of NOV, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Patrick Fry, Ruth Velma Fry

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11/26/95
date

James A. Carver
NOTARY PUBLIC

My Commission Expires: 9/1/99

96-219-A

The practical difficulty for which we are asking for a variance is the following:

We would like to add a 24 x 24 ft. attached garage to the S.E. corner of our home for several reasons:

1. There is more land available on the Oliverbeach Road side of the house than the N.W side. There is 24 feet from our house to the end of our property line. However, there is an **additional** 24 feet of ground before the actual road begins. In other words, from our house on the S.E. side, there is 48 feet of ground before Oliverbeach Road begins.
2. We also believe adding an attached garage to our property will add property value to our home, as well as others in the neighborhood.
3. Finally, for practical reasons, we believe it makes appropriate sense to attach a garage to the S.E. side of our house for purposes of entering from Oliverwood Road, rather than Oliverbeach Road. Oliverbeach Road is a heavily travelled Road wherein numerous automobiles find it necessary to exceed the speed limit.

#220

2025-10-10 10:10:10

96-219-A

ZONING DESCRIPTION FOR 13000 Oliverwood Road

Beginning for the same on the **Northeast side of Oliverwood Road** which is **60 feet wide** at a point distant of **229.51 feet**, measured **Southeasterly along the Northeast side of said Oliverbeach Road from its intersection with the Southeast side of Eastern Avenue, 60 feet wide**, both roads as now proposed to be widened as shown on the minor subdivision plat of Diegert Property, thence leaving said place of beginning and running and binding on the Northeast side of Oliverbeach Road, referring all courses of this description to the grid meridian as established by the Baltimore County Metropolitan District, the 2 following courses and distances, VIZ: 1) South 59 degrees 22 minutes 42 seconds East 103.28 feet and 2) North 77 degrees 17 minutes 39 seconds East 14.55 feet to the Northwest side of Oliverwood Road 50 feet wide, as now widened and shown on said minor sub-division plan of Diegert Property, thence running and binding on said Oliverwood Road, 3) North 33 degrees 58 minutes 00 seconds East 55.76 feet to intersect the division line between lots 109 and 110 as shown on the **Plat of Twin River Beach, recorded among the land records of Baltimore County in Plat Book W.P.C. No. 8, Folio 11**, thence running and binding on a part hereof, 3) North 56 degrees 25 minutes 42 seconds West 117.27 feet, thence leaving said division line and running for a new line of division thru said Lot No. 109, 4) South 30 degrees 37 minutes 18 seconds West 71.68 feet to the place of beginning. Containing 7.824 Square feet or 0.1796 acres of land. Being subject however, to a 10 foot revertible slope easement along the 1st thru the 3rd lines of the above described parcel, as shown on the minor sub-division plan of Diegert Property. **Being Lot No. 3** as laid out and shown on the minor sub-division plan of Diegert Property, that is recorded as part of a deed dated April 15, 1993 from Puritan Contruction, Inc. and recorded among the **Land Records of Baltimore County at Liber 9862, Folio 207**. Saving and excepting therefrom all that parcel of ground described in a Deed dated May 31, 1994 from Puritan Construction, Inc. and Theresa Nikol and Gregory G. Nikol to Baltimore County, Maryland and recorded among the Land Records of Baltimore County at Libert 10395, Folio 62.

220

10-11-95

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-719-A

District 153d

Posted for: Varionco

Date of Posting 12/18/95

Petitioner: Patricia & Ruth Fry

Location of property: 13000 Oliverwood Rd.

Location of Sign: Facing road & way on property being zoned

Remarks: _____

Posted by: M. Kelly

Signature

Date of return: 12/18/95

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

011120

DATE 11/27/75

ACCOUNT B-001-G15-000

96-219-A

AMOUNT \$ 85.00

RECEIVED
FROM:

FRY

OK - 1 - \$ 50.00
OK SIGN \$ 35.00

Item # 220

Taken by JEF

FOR:

Michael J. FRY

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 8, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-219-A (Item 220)
13000 Oliverwood Road
NEC Oliver Beach Road and Oliverwood Road
15th Election District - 5th Councilmanic
Legal Owner: Patrick Fry and Ruth Velma Fry

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before December 10, 1995. The closing date (December 26, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Patrick and Ruth Fry

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

Mr. and Mrs. Patrick Fry
13000 Oliverwood Road
Baltimore, MD 21220

RE: Item No.: 220
Case No.: 96-219-A
Petitioner: P. Fry, et ux

Dear Mr. and Mrs. Fry:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

10-7-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 220 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ~~ZADM~~ PDM - Joyce Watson

DATE: 12/12/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee

Agenda: 11/27/95 and 12/11/95
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

11/27/95
Item #'s: 205
207
209
213
214

12/11/95
220 thru 231
and
Rev. #195

12/4/95
215
217
218
219

LS:sp

LETTY2/DEPRM/TXTSBB

RECEIVED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: December 11, 1995

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 217, 218, 219, (220), 223, 225, and 230

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Emily L. Kerns

PK/JL

RECEIVED

8 COPIES

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 11, 1995.

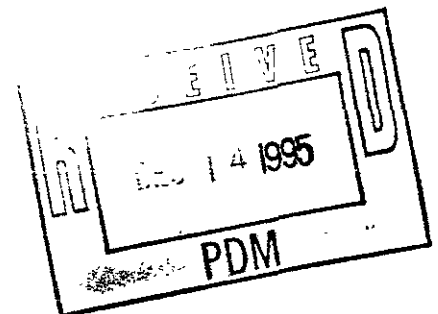
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 220, 221, 222, 223, 225,
226, 228, 229 AND 230.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 21, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for December 18, 1995
Item 220

The Development Plans Review Division has reviewed the subject zoning item. Oliver Beach Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The 10-foot revertible slope is necessary to support the road cross-section and ultimate 2 to 1 slope.

The proposed garage shall not interfere with the line of sight.

We recommend that this variance be denied.

RWB:sw

332'
8862
/

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

LARRY SCHMIDT, ZONING COMMISSIONER

TO: Arnold Jablon, Director DATE: Dec. 21, 1995
Zoning Administration and Development ManagementFROM: Robert W. Bowling, P.E., Chief
Development Plans Review DivisionRE: Zoning Advisory Committee Meeting
for December 18, 1995
Item 220

The Development Plans Review Division has reviewed the subject zoning item. Oliver Beach Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The 10-foot reversible slope is necessary to support the road cross section and ultimate 2 to 1 slope.

The proposed garage shall not interfere with the line of sight

A MINIMUM SETBACK OF 5 FEET FROM PROPERTY LINE

We recommend that ~~this variance be denied~~.

Bx HELD

RWB SW

RWB 11/17/96

Post-It Fax Note	7871	Date	# of pages 2
To: <i>Jablon</i>		From: <i>Robert W. Bowling</i>	
On/Dept:		Co:	
Phone #		Phone #	
Fax #		Fax #	

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Plat to

PROPERTY

SUBDIVISION

plat books

OWNER: J



North

date: prepare

Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

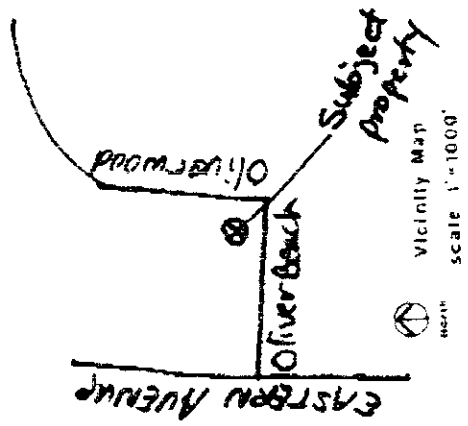
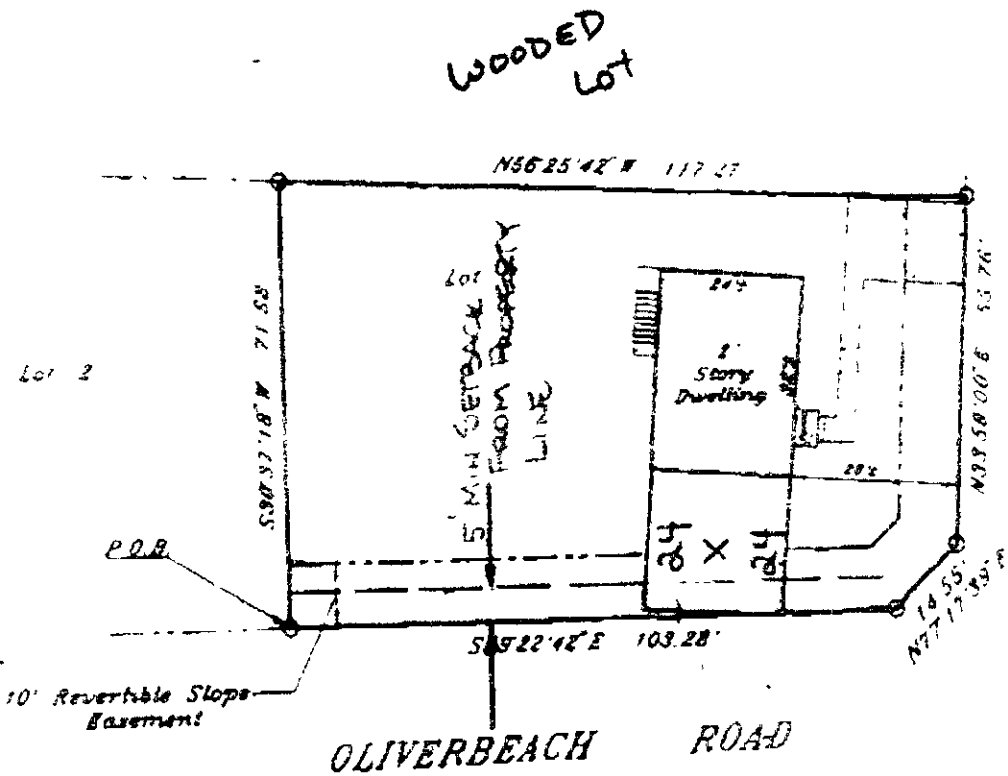
See pages 5 & 6 of the Petition for additional required information

PROPERTY ADDRESS: 13000 Oliverwood Road

Subdivision name: Minor Subdivision of Larger Property

Plat book 1010, folio 3, section 9

OWNER: PATRICK & RUTH FRY



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"-200 scale map: NE 7M

Zoning: D.R. S.5

Lot size: .1796 acreage 7824 square feet

Public ☐ Private ☒

SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY

Reviewed by: [Signature] ITEM # 100 CASE # 100



North

date: 10/1/96 prepared by: [Signature]

Scale of Drawing: 30'

TO WHOM IT MAY CONCERN:

I have discussed with Patrick and Ruth Fry, who reside at 13000 Oliverwood Road, Baltimore County, Maryland, 21220 their proposal to add a garage to their home. I understand that the structure will be a 24 x 24 attached garage which is being added to the Southeast (Oliverbeach Road) side of their home. I have been shown the plans and have no objection to their proposal.

Please accept this letter bearing my signature as confirmation that I have no objection to the plans of Mr. and Mrs. Fry.

Barry A. Dukes

7007 OLIVER BEACH Rd. 21220

Resident of _____ Oliverbeach Road

220

10/30/95

TO WHOM IT MAY CONCERN:

I have discussed with Patrick and Ruth Fry, who reside at 13000 Oliverwood Road, Baltimore County, Maryland, 21220 their proposal to add a garage to their home. I understand that the structure will be a 24 x 24 attached garage which is being added to the Southeast (Oliverbeach Road) side of their home. I have been shown the plans and have no objection to their proposal.

Please accept this letter bearing my signature as confirmation that I have no objection to the plans of Mr. and Mrs. Fry.

Brian R. Dill
Resident of 7100 Oliverbeach Road

220

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

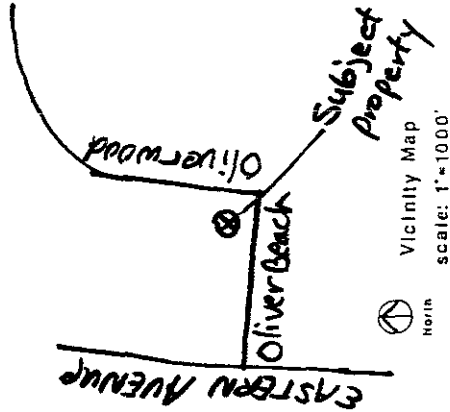
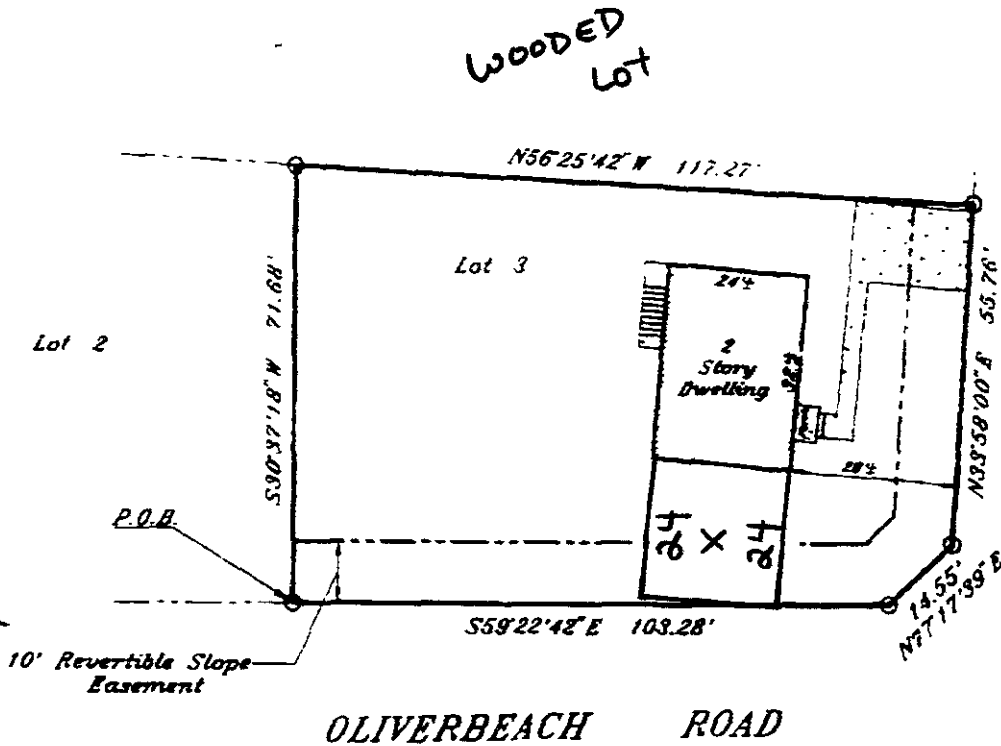
PROPERTY ADDRESS: 13000 Oliverwood Road see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Miller Subdivision of Diegent Property.

plat book# , folio# , lot# 3, section#

OWNER: PATRICK & RUTH FRY

96-219-A



LOCATION INFORMATION

Election District: 15
 Councilmanic District: 5
 1"=200' scale map#: NE 7M
 Zoning: D.R. 5.5
 Lot size: 1796 acreage 7824 square feet

public ☐ private ☐
 SEWER: ☒ public ☒ private ☐
 WATER: ☒ public ☒ private ☐
 Chesapeake Bay Critical Area: ☐ yes ☒ no
 Prior Zoning Hearings: none

Zoning Office USE ONLY!

reviewed by: JF ITEM #: 220 CASE#:

Scale of Drawing: 1"= 30'

North

date:
 prepared by:

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

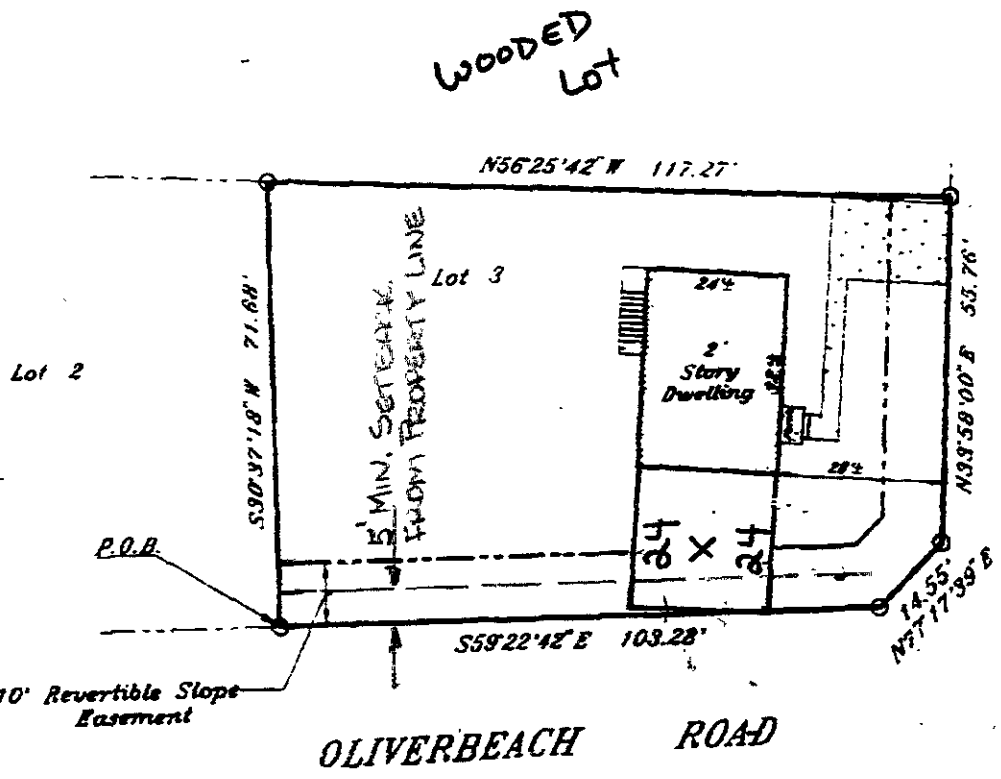
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 13000 Oliverwood Road

Subdivision name: Minor Subdivision of Diegent Property.

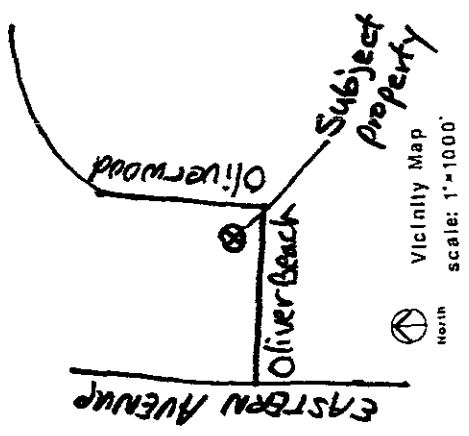
plat book # , folio # , lot # 3, section #

OWNER: PATRICK & RUTH FRY



OLIVERWOOD ROAD

OLIVERBEACH ROAD



LOCATION INFORMATION

Election District: 15
 Councilmanic District: 5
 1"=200' scale map #: NE 9M
 Zoning: D.R. 5.5
 Lot size: .1796 acreage 7824 square feet

public ☒ private ☐
 SEWER: ☒ WATER: ☒
 Chesapeake Bay Critical Area: ☐ ☒
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: JK ITEM #: 220 CASE #:

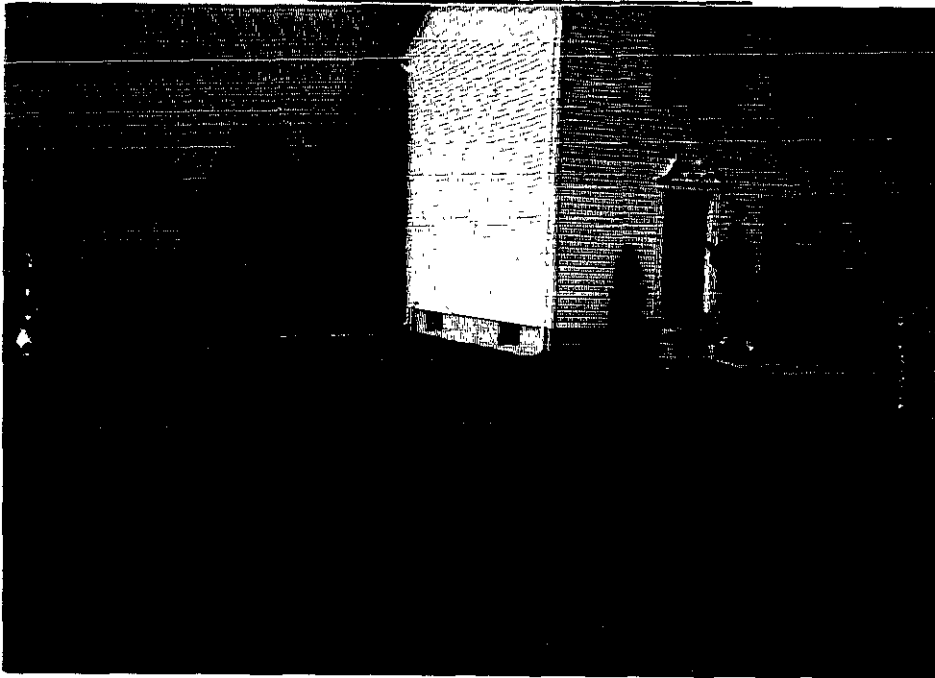
Scale of Drawing: 1"= 30'

North
 date:
 prepared by:

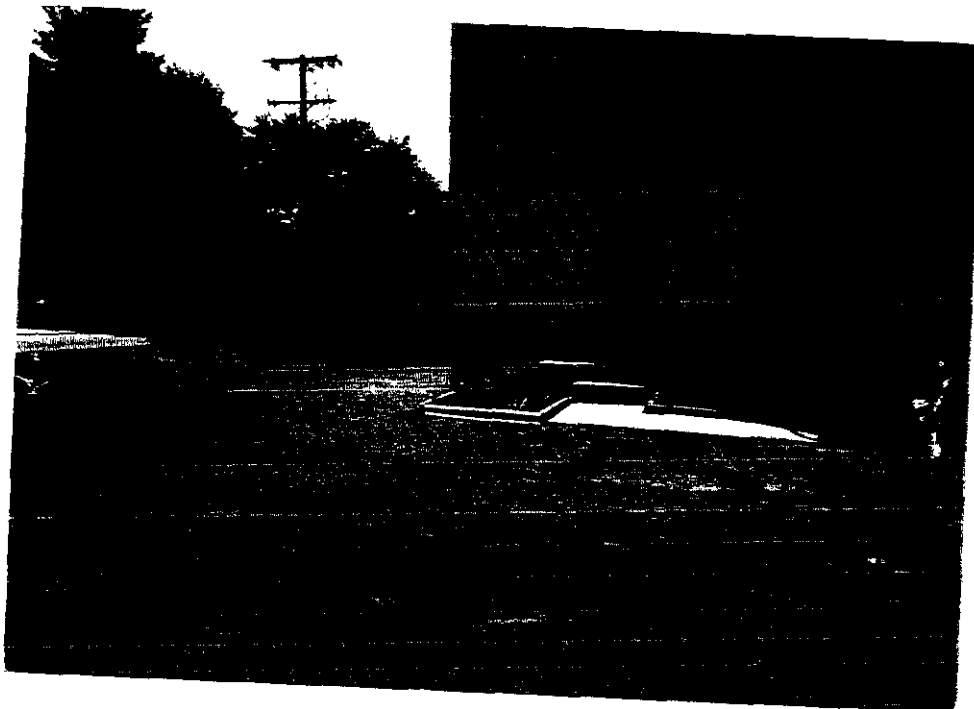
MICROFILMED

96-219-A

PETITIONER(S) EXHIBIT ()

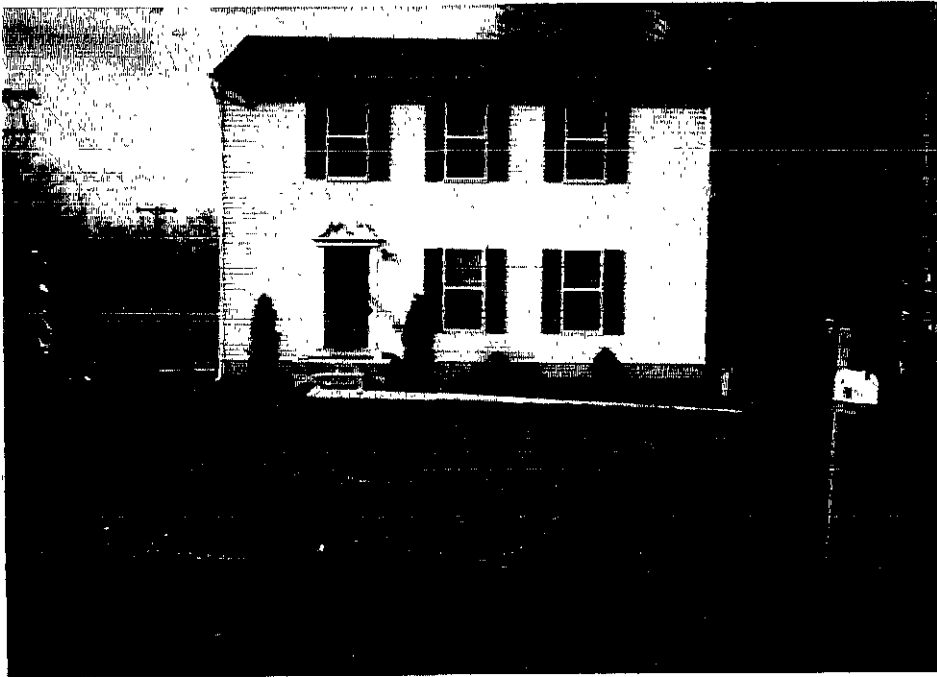


SIDE YARD & PROPOSED LOCATION OF GARAGE



MICROFILMED

96-219-A



FRONT YARD

220



FRONT YARD Showing closest Neighbor
Barry Dukes - 7007 Oliverbeach Rd

MACROFILMED

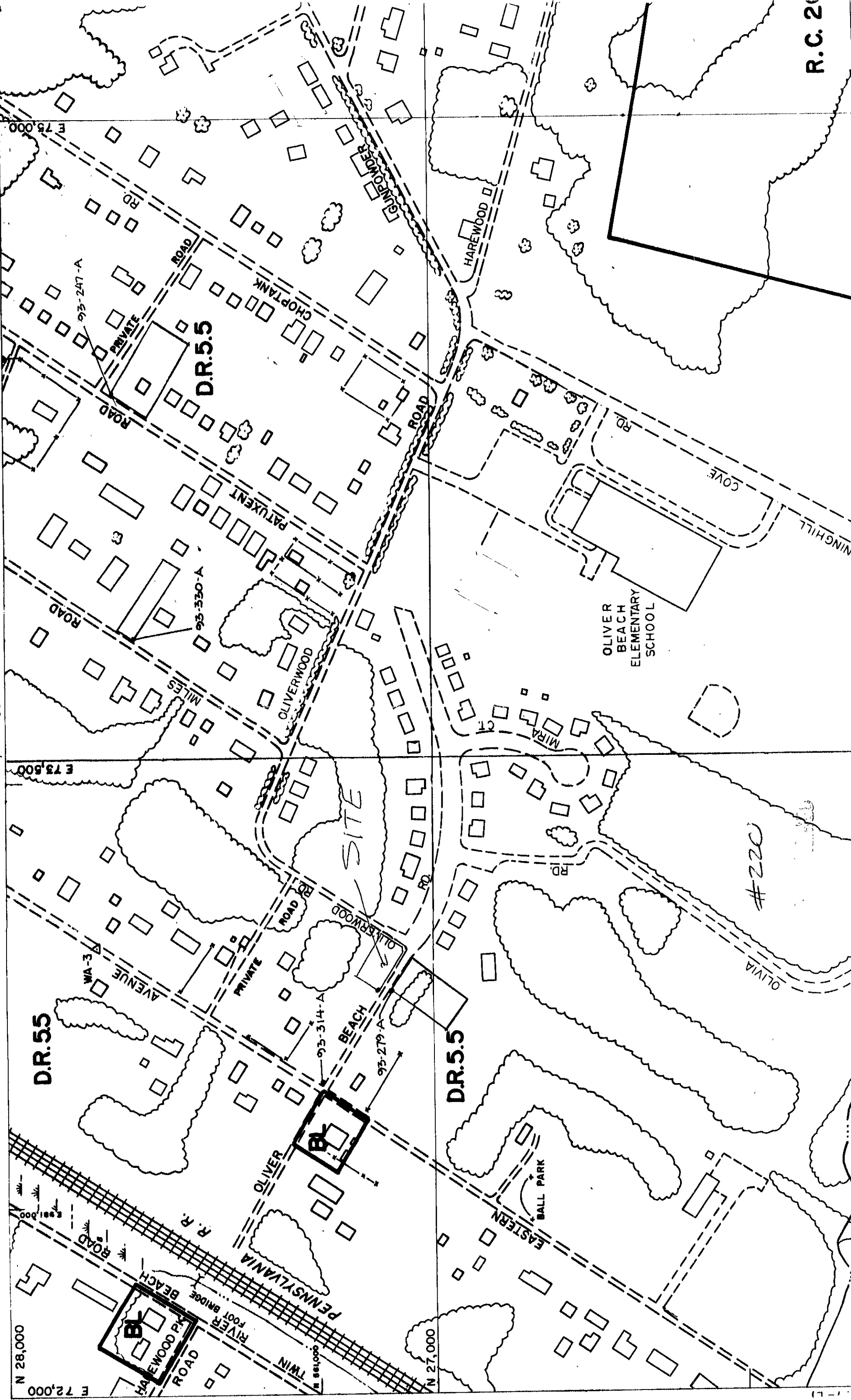
220

96-219-A

NE 7M

(SHEET N.E. 8-M)

R.C. 26



IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
NEC Oliver Beach Road and
Oliverwood Road
13000 Oliverwood Road
15th Election District
5th Councilmanic District
Patrick Fry, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Patrick Fry and Ruth V. Fry, his wife, for that property known as 13000 Oliverwood Road in the minor subdivision of Diegert property, in Baltimore County. The Petitioners/property owners herein seek a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow an addition (attached garage) to be 19 ft. x 24 ft. with side yard and front yard setbacks of 5 ft., in lieu of minimum required setbacks of 25 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion

of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of February, 1996 that the Petition for a Residential Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow an addition (attached garage) to be 19 ft. x 24 ft. with side yard and front yard setbacks of 5 ft., in lieu of minimum required setbacks of 25 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 6, 1996

Mr. and Mrs. Patrick Fry
13000 Oliverwood Road
Baltimore, Maryland 21220

RE: Petition for Administrative Zoning Variance
Case No. 96-219-A
Property: 13000 Oliverwood Road

Dear Mr. and Mrs. Fry:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 13000 Oliverwood Road
which is presently zoned D.P. 55

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1

To allow an addition (garage) with a side yard and front yard setbacks of zero ft. in lieu of the minimum required setbacks of 25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHMENT

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:	Legal Owner(s):
(Type or Print Name)	Patrick Fry (410-539-7923)
Signature:	Patrick Fry
Address:	Ruth Velma Fry (410-332-8876)
City:	Baltimore
State:	MD
Zipcode:	21220
Address and phone number of representative to be contacted:	
Signature:	
City:	
State:	
Zipcode:	
Address:	
Phone No.:	

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 6th day of February 1996, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: [Signature] DATE: 11/27/95
ESTIMATED POSTING DATE:

Printed with Soybean Ink on Recycled Paper
ITEM #: 220

ORDER RECEIVED FOR FILING
Date: 1/26/96
By: [Signature]

ORDER RECEIVED FOR FILING
Date: 1/26/96
By: [Signature]

Affidavit in support of
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 13000 Oliverwood Road
Baltimore MD 21220

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

SEE ATTACHMENT

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Patrick Fry
Ruth Velma Fry

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 26 day of NOV 1995 before me, a Notary Public of the State of Maryland, in and for the County of Baltimore personally appeared

Patrick Fry, Ruth Velma Fry

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the true form of law that the matters and facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11/26/95

James A. Carson
My Commission Expires: 9/1/95

6444:10/30/95
14012:DS11:act_1

The practical difficulty for which we are asking for a variance is the following:

1. We would like to add a 24 x 24 ft. attached garage to the S.E. corner of our home for several reasons:
 - There is more land available on the Oliverbeach Road side of the house than the N.W. side. There is 24 feet from our house to the end of our property line. However, there is an additional 24 feet of ground before the actual road begins. In other words, from our house on the S.E. side, there is 48 feet of ground before Oliverbeach Road begins.
2. We also believe adding an attached garage to our property will add property value to our home, as well as others in the neighborhood.
3. Finally, for practical reasons, we believe it makes appropriate sense to attach a garage to the S.E. side of our house for purposes of entering from Oliverwood Road, rather than Oliverbeach Road. Oliverbeach Road is a heavily travelled Road wherein numerous automobiles find it necessary to exceed the speed limit.

#220

6444:10/30/95
14012:DS11:act_1

ZONING DESCRIPTION FOR 13000 Oliverwood Road

Beginning for the same on the Northeast side of Oliverwood Road which is 60 feet wide at a point distant of 229.51 feet, measured Southeasterly along the Northeast side of said Oliverbeach Road from its intersection with the Southeast side of Eastern Avenue, 60 feet wide, both roads as now proposed to be widened as shown on the minor subdivision plat of Diegert Property, thence leaving said place of beginning and running and binding on the Northeast side of Oliverbeach Road, referring all courses of this description to the grid meridian as established by the Baltimore County Metropolitan District, the 2 following courses and distances, VIZ: 1) South 59 degrees 22 minutes 42 seconds East 103.28 feet and 2) North 77 degrees 17 minutes 39 seconds East 14.55 feet to the Northwest side of Oliverwood Road 50 feet wide, as now widened and shown on said minor sub-division plan of Diegert Property, thence running and binding on said Oliverwood Road, 3) North 33 degrees 58 minutes 00 seconds East 55.76 feet to intersect the division line between lots 109 and 110 as shown on the Plat of Twin River Beach, recorded among the land records of Baltimore County in Plat Book W.P.C. No. 8, Folio 11, thence running and binding on a part hereof, 3) North 56 degrees 25 minutes 42 seconds West 117.27 feet, thence leaving said division line and running for a new line of division thru said Lot No. 109, 4) South 30 degrees 37 minutes 18 seconds West 71.68 feet to the place of beginning. Containing 7.824 Square feet or 0.1796 acres of land. Being subject however, to a 10 foot reversible slope easement along the 1st thru the 3rd lines of the above described parcel, as shown on the minor sub-division plan of Diegert Property. Being Lot No. 3 as laid out and shown on the minor sub-division plan of Diegert Property, that is recorded as part of a deed dated April 15, 1993 from Puritan Construction, Inc. and recorded among the Land Records of Baltimore County at Liber 9862, Folio 207. Saving and excepting therefrom all that parcel of ground described in a Deed dated May 31, 1994 from Puritan Construction, Inc. and Theresa Nikol and Gregory G. Nikol to Baltimore County, Maryland and recorded among the Land Records of Baltimore County at Libert 10395, Folio 62.

#220

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th
Date of Posting: 12/18/95
Posted for: Variance
Petitioner: Patrick & Ruth Fry
Location of property: 13000 Oliverwood Rd.
Location of Signs: Signs were set on property being reviewed
Remarks:
Posted by: [Signature]
Date of return: 12/18/95
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 011120
DATE: 11/27/95
ACCOUNT: E-001-G15-000
96-219-A
AMOUNT: \$ 85.00

RECEIVED FROM: [Signature]
BY: [Signature]
DATE: 11/27/95
AMOUNT: \$ 85.00
TAKEN BY: JRF

12/18/95
12/18/95
12/18/95
12/18/95



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 8, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-219-A (Item 220)
13000 Oliverwood Road
NEC Oliver Beach Road and Oliverwood Road
15th Election District - 5th Councilmanic
Legal Owner: Patrick Fry and Ruth Velma Fry

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before December 10, 1995, the closing date (December 26, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Patrick and Ruth Fry



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

Mr. and Mrs. Patrick Fry
13000 Oliverwood Road
Baltimore, MD 21220

RE: Item No.: 220
Case No.: 96-219-A
Petitioner: P. Fry, et ux

Dear Mr. and Mrs. Fry:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 27, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCB/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winslow
Secretary
Hal Kassoff
Administrator

12-7-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 220 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for the Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM - Joyce Watson
DATE: 12/10/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 11/27/95 and 12/11/95
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

11/27/95 12/11/95
Item #'s: 205 220 thru 231
207 and
209 Rev. # 195
213
214

12/4/95

215
217
218
219

LS:sp

LETTYZ/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 11, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 217, 218, 219, 220, 223, 225, and 230

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Pat Keller*

PK/JL

ITEM217/PZOM/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-9500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 11, 1995.

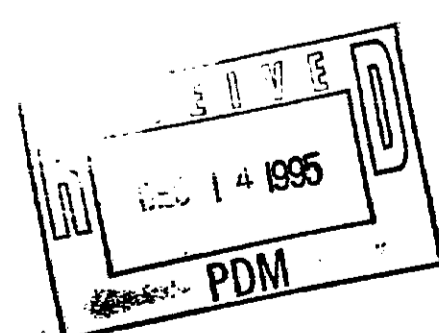
Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS 220, 221, 222, 223, 225, 226, 228, 229 AND 230.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4500



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: Dec. 21, 1995

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for December 18, 1995
Item 220

The Development Plans Review Division has reviewed the subject zoning item. Oliver Beach Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The 10-foot reversible slope is necessary to support the road cross-section and ultimate 2 to 1 slope.

The proposed garage shall not interfere with the line of sight.

We recommend that this variance be denied.

RWB:sw

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

LARRY SCHMIDT, Zoning Commissioner

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: Dec. 21, 1995

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for December 18, 1995
Item 220

The Development Plans Review Division has reviewed the subject zoning item. Oliver Beach Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

The 10-foot reversible slope is necessary to support the road cross-section and ultimate 2 to 1 slope.

The proposed garage shall not interfere with the line of sight.

A MINIMUM DETACK OF STREET FROM PROPERTY LINE

We recommend that this variance be denied.

By: RWD
RWB:sw

Postnet Fax Note	7071	Date	12/21/95
To: <i>Arnold</i>	From: <i>Bob Bowling</i>		
On: <i>12/21/95</i>	By: <i>Bob Bowling</i>		
Phone #	Phone #		
Fax #	Fax #		

Plat to
PROPERTY
OWNER

North
date
print

TO WHOM IT MAY CONCERN:

I have discussed with Patrick and Ruth Fry, who reside at 13000 Oliverwood Road, Baltimore County, Maryland, 21220 their proposal to add a garage to their home. I understand that the structure will be a 24 x 24 attached garage which is being added to the Southeast (Oliverbeach Road) side of their home. I have been shown the plans and have no objection to their proposal.

Please accept this letter bearing my signature as confirmation that I have no objection to the plans of Mr. and Mrs. Fry.

Barry A. Dukes
7007 OLIVER BEACH Rd 21220
Resident of Oliverbeach Road

TO WHOM IT MAY CONCERN:

I have discussed with Patrick and Ruth Fry, who reside at 13000 Oliverwood Road, Baltimore County, Maryland, 21220 their proposal to add a garage to their home. I understand that the structure will be a 24 x 24 attached garage which is being added to the Southeast (Oliverbeach Road) side of their home. I have been shown the plans and have no objection to their proposal.

Please accept this letter bearing my signature as confirmation that I have no objection to the plans of Mr. and Mrs. Fry.

Brian K. Dell
Resident of 7000 Oliverbeach Road

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 13000 Oliverwood Road see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Minor Subdivision of Dager Property

Plat book # 1010, lot # 3, section 96-219-A

OWNER: PATRICK & RUTH FRY

<p>LOCATION INFORMATION</p> <p>Election District: <u>15</u></p> <p>Councilmanic District: <u>5</u></p> <p>1"=200' scale map: <u>NE 7M</u></p> <p>Zoning: <u>D.R. 5.5</u></p> <p>Lot size: <u>1796</u> square feet</p> <p>SEWER: <input checked="" type="checkbox"/> WATER: <input checked="" type="checkbox"/></p> <p>Chesapeake Bay Critical Area: <input checked="" type="checkbox"/></p> <p>Prior Zoning Hearings: <u>NONE</u></p> <p>Zoning Office USE ONLY!</p> <p>reviewed by: <u>JF</u> ITEM #: <u>220</u> CASE #:</p>	

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 13000 Oliverwood Road see pages 5 & 6 of the CHECKLIST for additional required information

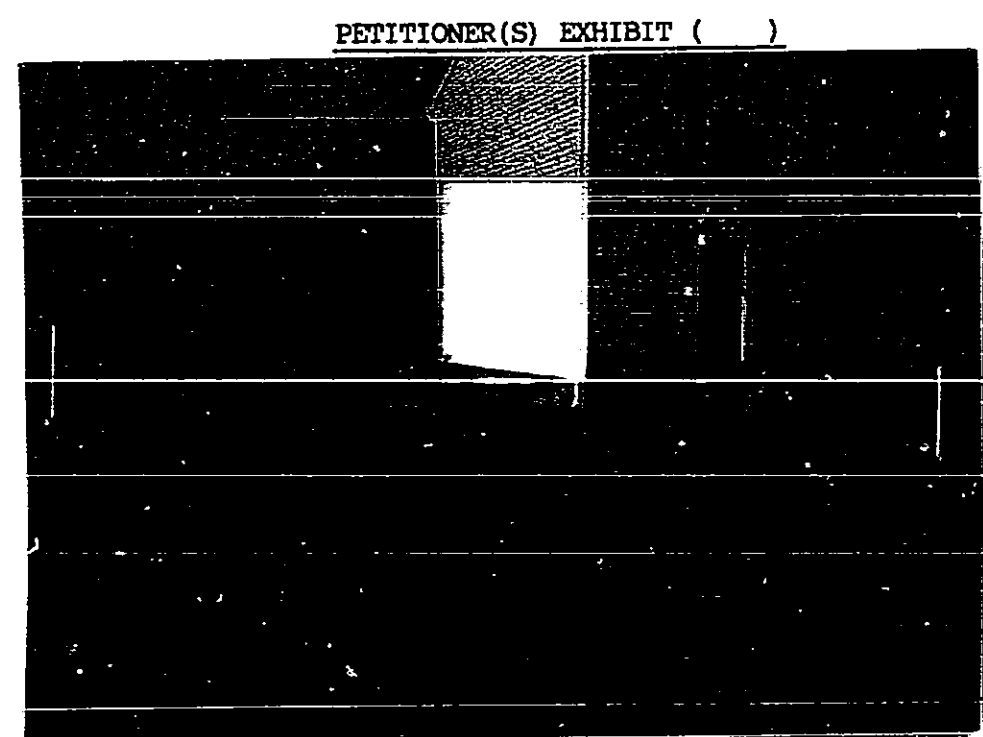
Subdivision name: Minor Subdivision of Dager Property

Plat book # 1010, lot # 3, section 96-219-A

OWNER: PATRICK & RUTH FRY

<p>LOCATION INFORMATION</p> <p>Election District: <u>15</u></p> <p>Councilmanic District: <u>5</u></p> <p>1"=200' scale map: <u>NE 7M</u></p> <p>Zoning: <u>D.R. 5.5</u></p> <p>Lot size: <u>1796</u> square feet</p> <p>SEWER: <input checked="" type="checkbox"/> WATER: <input checked="" type="checkbox"/></p> <p>Chesapeake Bay Critical Area: <input checked="" type="checkbox"/></p> <p>Prior Zoning Hearings: <u>NONE</u></p> <p>Zoning Office USE ONLY!</p> <p>reviewed by: <u>JF</u> ITEM #: <u>220</u> CASE #:</p>	

96-219-A



SIDE YARD & PROPOSED LOCATION OF GARAGE



96-219-A



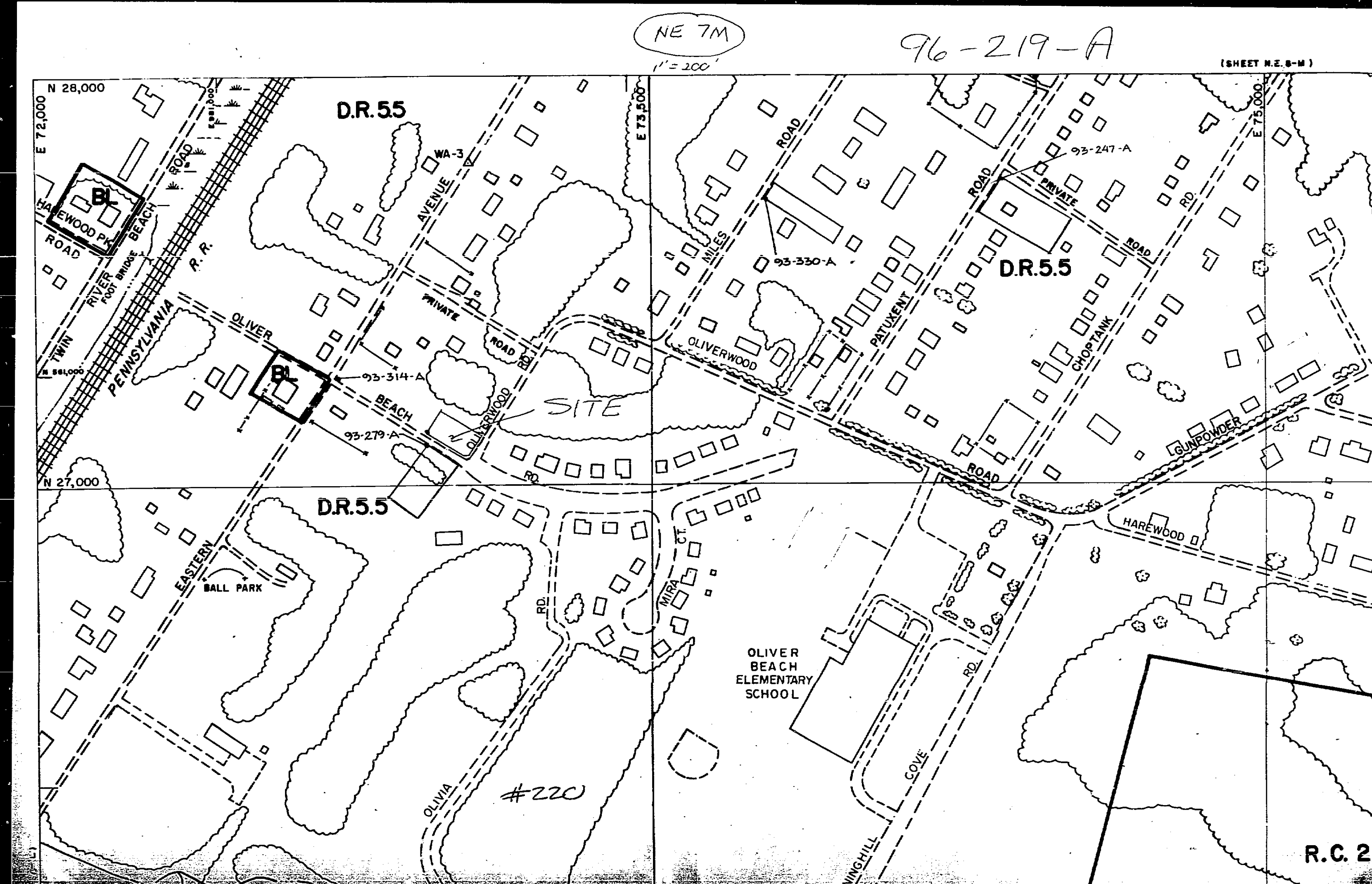
FRONT YARD



FRONT YARD Showing closest Neighbor
Batty Dukes - 7007 Oliverbeach Rd

220

220



NE 7M
Item #

220

96-219-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

HAREWOOD
OLIVER BEACH

SHEET

N.E.
7-M